1	EDMUND G. BROWN JR., Attorney General	
2	of the State of California JOSE R. GUERRERO, State Bar No. 97276	
3	Supervising Deputy Attorney General CATHERINE E. SANTILLAN	
4	Senior Legal Analyst California Department of Justice	
5	455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004	
6	Telephone: (415) 703-5579 Facsimile: (415) 703-5480	
7	Attorneys for Complainant	
8	BEFORE THE	
9	RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS	
10	STATE OF CAL	
11	In the Matter of the Accusation Against:	Case No. R-2051
12	ROBERT T. COLLIER, RCP 1708 Lupine Drive	STIPULATED SURRENDER OF LICENSE AND ORDER
13	Willits, ČA 95490	
14	Respiratory Care Practitioner License No. 17554	
15	Respondent.	
16		
17	IT IS HEREBY STIPULATED AND AGREED by and between the parties in this	
18	proceeding that the following matters are true:	
19	<u>PARTIES</u>	
20	1. Stephanie Nunez (Complaina	nt) is the Executive Officer of the
21	Respiratory Care Board of California. She brought this action solely in her official capacity and	
22	is represented in this matter by Edmund G. Brown Jr., Attorney General of the State of	
23	California, by Catherine E. Santillan, Senior Legal A	Analyst.
24	2. Robert T. Collier (Responden	t) is representing himself in this proceeding
25	and has chosen not to exercise his right to be represented by counsel.	
26	3. On or about October 28, 1994, the Respiratory Care Board of California	
27	issued Respiratory Care Practitioner License No. 17554 to Respondent. The License was in full	
28	force and effect at all times relevant to the charges b	rought in Accusation No. R-2051 and will

expire on July 31, 2008, unless renewed.

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#### JURISDICTION

4. Accusation No. R-2051 was filed before the Respiratory Care Board (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 26, 2007. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. R-2051 is attached as exhibit A and incorporated herein by reference.

# **ADVISEMENT AND WAIVERS**

- Respondent has carefully read, and understands the charges and allegations in Accusation No. R-2051. Respondent also has carefully read, and fully understands the effects of this Stipulated Surrender of License and Order.
- 6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

#### **CULPABILITY**

- 8. Respondent admits the truth of each and every charge and allegation in Accusation No. R-2051, agrees that cause exists for discipline and hereby surrenders his Respiratory Care Practitioner License No. 17554 for the Board's formal acceptance.
- 9. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Respiratory Care Practitioner License without further process.

#### CONTINGENCY

Board. Respondent understands and agrees that counsel for Complainant and the staff of the Respiratory Care Board of California may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

#### OTHER MATTERS

- 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.
- 12. In consideration of the foregoing admissions and stipulations, the parties agree that the (Board) may, without further notice or formal proceeding, issue and enter the following Order:

# **ORDER**

IT IS HEREBY ORDERED that Respiratory Care Practitioner License No. 17554, issued to Respondent Robert T. Collier is surrendered and accepted by the Respiratory Care Board.

- 13. The surrender of Respondent's Respiratory Care Practitioner License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.
- 14. Respondent shall lose all rights and privileges as a respiratory care practitioner in California as of the effective date of the Board's Decision and Order.

1	15. Respondent shall cause to be delivered to the Board both his License and	
2	wall certificate on or before the effective date of the Decision and Order.	
3	16. Respondent fully understands and agrees that if he ever files an application	
4	for relicensure or a petition for reinstatement in the State of California, the Board shall treat it as	
5	a petition for reinstatement. Respondent must comply with all the laws, regulations and	
6	procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all	
7	of the charges and allegations contained in Accusation No. R-2051 shall be deemed to be true,	
8	correct and admitted by Respondent when the Board determines whether to grant or deny the	
9	petition.	
10	17. Respondent shall pay the Board cost recovery of \$1,118.25 (one thousand	
11	one hundred eighteen dollars and twenty five cents) prior to issuance of a reinstated license.	
12	<u>ACCEPTANCE</u>	
13	I have carefully read the Stipulated Surrender of License and Order. I understand	
14	the stipulation and the effect it will have on my Respiratory Care Practitioner License.  I enter	
15	into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and	
16	agree to be bound by the Decision and Order of the Respiratory Care Board.	
17	DATED: March 20, 2007	
18		
19	Original signed by: Robert T. Collier	
20	Respondent	
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1	<u>ENDORSEMENT</u>	
2	The foregoing Stipulated Surrender of License and Order is hereby respectfully	
3	submitted for consideration by the Respiratory Care Board of the Department of Consumer	
4	Affairs.	
5		
6	DATED: March 26, 2007	
7 8	EDMUND G. BROWN JR., Attorney General of the State of California	
9	JOSE R. GUERRERO Supervising Deputy Attorney General	
10		
11	Original signed by	
12	<u>Original signed by:</u> CATHERINE E. SANTILLAN Senior Legal Analyst	
13	Attorneys for Complainant	
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# BEFORE THE RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. R-2051

ROBERT T. COLLIER 1708 Lupine Drive Willits, CA 95490

Respiratory Care Practitioner License No. 17554

Respondent.

# **DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Respiratory Care Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on May 14, 2007.

It is so ORDERED May 4, 2007.

Original signed by:

LARRY L. RENNER, BS, RRT, RCP, RPFT, PRESIDENT, RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA